

The following is an examiner's statement of reasons for allowance:

Claims 18-33 are allowed because the prior art does not disclose or suggest a water resistant portable apparatus comprising a case with an electroacoustic transducer, an inlet cavity in direct communication with the exterior and separated from the transducer in a water resistant manner by a deformable membrane, the transducer and cavity being arranged collaterally such that a predetermined thickness of the cavity and the transducer are arranged in the same slice parallel to the bottom of the case. The term "slice" is interpreted as defined at page 3, the penultimate line, of the specification. Specifically, the prior art, particularly CH 691334 and US 6219304, lack the configuration of the transducer and cavity having thicknesses thereof in the same slice, with the remaining elements of claim 18.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vit W. Miska whose telephone number is 571-272-2108. The examiner can normally be reached on M-F 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, P. Bradley can be reached on 571-272-2001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Vit W. Miska/
Primary Examiner, Art Unit 2833